

Before The  
**Federal Communications Commission**  
Washington DC 20554

In the matter of

**Amendment of Part 97 of the Commissions  
rules concerning permitted emissions and  
control requirements**

**RM-11305, *et al.***

**To: The Commission**

CTT has submitted a proposal for certain deregulation for the Amateur Radio Service designated as RM-11305. My comments regarding this matter follow.

Discussion:

Phone operation is the most popular mode on the Amateur Radio H.F. bands.

During good propagation it is difficult to find a frequency upon which to operate phone (using normal 2.4 kHz SSB bandwidth or less) without causing harmful interference to others. This is particularly true on the 80, 40, and 20 meter bands. When I am able to find an operating frequency it is not uncommon for a station to come on the frequency and advise me that a group or net meets on this frequency regularly and it is time for them to meet. I am then faced with the dilemma of selfishly keeping the frequency knowing that this group will not likely be able to find another place to operate or sign off knowing that it is unlikely that I will find another frequency. In this case I choose to let the group commence with their regularly scheduled operation.

New groups and nets are also having difficulty finding frequencies upon which to operate. This is stifling the growth of new groups and nets and discouraging Amateurs from operating.

This situation is harmful to the growth of Amateur Radio. This also pits Amateurs against other Amateurs. "Sandbox conflicts" develop resulting in jamming and other inconsiderate and illegal operating practices. While these practices are not justifiable, it does increase the enforcement burden upon the FCC and is harmful to the image and growth of the Amateur Radio Service.

Ironically, while this condition exists around 50% of the band is lightly utilized. This is because phone operation is prohibited on these frequencies in favor of less popular modes.

Phone is prohibited on 50% of 80 meters, 50% of 40 meters and on about 40% of 20 meters. This is for Amateurs who hold Extra Class privileges. For lower class licenses the situation is worse.

On 40 meters, the phone portion of the band is mostly unusable at night due to the operation of high power AM short-wave broadcast stations. This situation will worsen in the future as many of these broadcasters convert to a digital mode. Again ironically, the lower portion of this band where phone operation is prohibited has much less broadcast interference.

On 80 meters, we have for all practical purposes lost the top 10 kHz, (3990 to 4000) from sunset to sunrise. On this frequency a 200 kW digital broadcast station operates that usually blankets that entire 10 kHz portion of spectrum with a signal level of over 100 microvolts in most parts of the US completely blanketing Amateur Radio signals.

With the imminent removal of the Morris Code requirement, much growth into Amateur Radio and the H.F. bands is anticipated. This overcrowded situation will greatly worsen.

To continue with this inefficient utilization of our spectrum is absurd. Amateur Radio operators should have full access to their entire allocated spectrum.

Very few, if any countries in the world have band segmentation by government rule. This was originally implemented in the US to protect ships sending distress messages by spark and CW. Band segmentation is clearly obsolete.

It seems that there are those who do not believe that the US Amateurs possess the personal qualifications for self-regulation that the Amateurs in the rest of the world possess. That is indeed a sad commentary on US Amateurs of which I disagree.

Clearly, the frequencies available for phone operation need to be vastly expanded by some method, particularly on 80, 40, and 20 meters. Doing so by eliminating antiquated band segmentation would permit flexibility as future needs and situations change.

The exception would be stations operating in automatic or semi-automatic mode. These stations do not have a control operator present monitoring the frequency before use. The potential for interference to other Amateur Radio operations is great. Operation of these stations that use automatic and semi-automatic control should be limited to discreet areas of the band where it would be understood that such interference would be expected.

Respectfully submitted;

*/s/ Walter A. Breining*

Walter A. Breining N9WB